

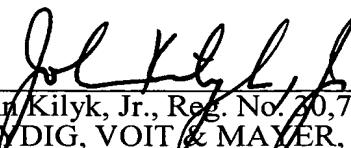
REMARKS

In the Decision on Appeal dated September 22, 2004, the enablement and written description rejections under Section 112, first paragraph, were reversed. The rejection of claims 1-4, 9, 16-19, 32-34, 39-40, and 43-45 under Section 102(a) in view of Davis was affirmed, as was the rejection of claims 1-5, 9, 17, 18, 32-34, 41, and 43-46 under Section 103(a) over Yoon in view of Gill and/or Rockwell. Claims 6, 7, and 12 are not rejected in view of the decision in this appeal. As such, claim 1 has been amended to incorporate the subject matter of claim 6. Claims 6 and 43-46 have been cancelled. Claim 7 has been amended to depend from claim 1 instead of cancelled claim 6. Claim 47 is new and corresponds to claim 12 rewritten in independent form, prior to the amendment to claim 1 described above. Accordingly, no new matter has been added by way of these amendments.

Applicants note that the application has been examined with respect to the elected species wherein the second peptide portion of the claimed fusion protein is HBNF. Upon the allowance of a generic claim, dependent claims to additional species must be entitled to consideration.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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